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Date: 12/18/03 1:49PM
Subject: Comment on ADM File No. 2003-30

It is proposed that MCR 2.112 be amended to add section (L)(2)(b) requiring that challenges to an Affidavit of Merit be done within 63 days of filing. The Affidavits, however, are filed with the complaint which does not have to be served for 91 days. As a result, the 63 day time period could expire before the defendant has ever seen the defective Affidavit. Therefore, any amendment should reflect the date of service of the Affidavit and not the date of filing.

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